

United States Bankruptcy Court
Northern District of Alabama

In re:
Yvonne DeCarlo Johnson
Debtor

Case No. 20-01344-DSC
Chapter 13

CERTIFICATE OF NOTICE

District/off: 1126-2

User: admin
Form ID: pdf008

Page 1 of 1
Total Noticed: 14

Date Rcvd: Apr 06, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 08, 2020.

db
10418710 +Yvonne DeCarlo Johnson, 800 Jeffrey Circle, Birmingham, AL 35235-2607
+Attorney General, US Department of Justice, 10th Street and Constitution Ave NW,
Washington, DC 20202-0001
10418711 +Chevron and Texaco Visa Card, c/o Advanced Call Center Technologies, PO Box 9091,
Johnson City, TN 37615-9091
10418714 +First National Bank of Omaha, PO Box 2557, Omaha, NE 68103-2557
10418716 +Mr. Cooper, Attn: Bankruptcy Department, PO Box 619094, Dallas, TX 75261-9094
10418717 +Santander Consumer USA, Attn: Bankruptcy Department, PO Box 560284,
Dallas, TX 75356-0284
10418718 +Target Card Services, PO Box 660170, Dallas, TX 75266-0170
10418719 +United States Attorney, Northern District of Alabama, 1801 4th Avenue North,
Birmingham, AL 35203-2101

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

10418708 E-mail/Text: bankruptcynotice@aspendental.com Apr 07 2020 07:16:20 Aspen Dental,
PO Box 1578, Albany, NY 12201
10418709 +E-mail/Text: g20956@att.com Apr 07 2020 07:19:46 AT&T Mobility, PO Box 536216,
Atlanta, GA 30353-6216
10418712 +E-mail/PDF: gecsed@recoverycorp.com Apr 07 2020 07:21:07 Chevron-Texaco/Synchrony Bank,
Attn: Bankruptcy Department, PO Box 960012, Orlando, FL 32896-0012
10418713 E-mail/Text: mrdiscen@discover.com Apr 07 2020 07:16:28 Discover Card, PO Box 30943,
Salt Lake City, UT 84130
10418715 +E-mail/Text: sbse.cio.bnc@mail@irs.gov Apr 07 2020 07:16:54 Internal Revenue Service,
PO Box 7346, Philadelphia, PA 19101-7346
10418857 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 07 2020 07:23:54
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 08, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 3, 2020 at the address(es) listed below:

Daisy M. Holder on behalf of Debtor Yvonne DeCarlo Johnson holderesq@aol.com

TOTAL: 1

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

Fill in this information to identify your case:

Debtor 1 Yvonne DeCarlo Johnson
Name: First Middle Last

Debtor 2 _____
(Spouse, if filing) Name: First Middle Last

Case number _____
(If known)

Check if this is an amended plan ☐
Amends plan dated: _____

Chapter 13 Plan

Part 1: Notices

To Debtors: This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances. Plans that do not comply with local rules, administrative orders, and judicial rulings may not be confirmable.

In the following notice to creditors, you must check each box that applies. Your failure to check a box that applies renders that provision ineffective.

To Creditors: Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the confirmation hearing, unless otherwise ordered. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is made. See Bankruptcy Rule 3015. In addition, a proper proof of claim must be filed in order to be paid under this plan.

The following matters may be of particular importance to you. Debtor(s) must check each box that applies. Debtor(s)' failure to check a box that applies renders that provision ineffective.

- ☐ The plan seeks to limit the amount of a secured claim, as set out in Part 3, § 3.2, which may result in a partial payment or no payment at all to the secured creditor.
- ☐ The plan requests the avoidance of a judicial lien or nonpossessory, nonpurchase money security interest, as set out in Part 3, § 3.4.
- ☐ The plan sets out nonstandard provision(s) in Part 9.

Part 2: Plan Payments and Length of Plan

2.1 Debtor(s) will make regular payments to the trustee as follows:



\$ 480.00 per month for 60 months

Debtor(s) shall commence payments within thirty (30) days of the petition date.

2.2 Regular payments to the trustee will be made from future income in the following manner (check all that apply):

☐ Debtor(s) will make payments pursuant to a payroll deduction. Debtor(s) request a payroll deduction be issued to:

☒ Debtor(s) will make payments directly to the trustee.

☐ Other (specify method of payment) _____

2.3 Income tax refunds and return. Check one.

- ☐ Debtor(s) will retain any income tax refunds received during the plan term.
- ☐ Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee income tax refunds received during the plan term, if any.
- ☒ Debtor(s) will treat income tax refunds as follows:
Debtor will not receive income tax refunds due to owing taxes.
- ☐ Debtor(s) believe they are not required to file income tax returns and do not expect to receive tax refunds during the plan term.

2.4 Additional Payment. Check all that apply.

- ☒ **None.** If "None" is checked, the rest of § 2.4 need not be completed or reproduced.

2.5 Adequate Protection Payments.

Any adequate protection payments shall be made as part of this plan; see Part 3 or Part 9 for details. The secured creditor must file a proof of claim in order to receive payment. Unless otherwise ordered, adequate protection payments through the trustee shall be made as funds are available after the proof of claim is properly filed.

Part 3: Treatment of Secured Claims
3.1 Maintenance of payments and cure of defaults, if any, on long-term secured debts. Check one.

- ☐ **None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
- ☒ Debtor(s) or trustee will maintain the current contractual installment payments on the secured claims listed below. These payments will be disbursed either by the trustee or paid directly by Debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee. Unless otherwise ordered, the amounts listed on a proof of claim, amended proof of claim, or notice of payment change control over any contrary amounts listed below as to the estimated amount of the creditor's total claim, current installment payment, and arrearage.

Name of Creditor	Collateral	Estimated Amount of Creditor's Total Claim	Current Installment Payment (including escrow)	Amount of Arrearage (if any)	Months Included in Arrearage	Monthly Fixed Payment on Arrearage	Monthly Fixed Payment on Arrearage to Begin
Mr. Cooper	Homestead	\$185,772.00	\$1,156.00 Disbursed by: Debtor(s) To begin: May 2020	\$0.00	0	\$0.00	N/A

3.2 Request for valuation of security, claim modification, and hearing on valuation. Check one.

- ☒ **None.** If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

3.3 Secured claims excluded from 11 U.S.C. § 506 and fully secured claims. Check one.

- ☐ **None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.


☒ The claims listed below:

1. were incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of Debtor(s), or
2. were incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value, or
3. are fully secured.

These claims will be paid in full under the plan with interest at the rate stated below. These payments will be disbursed by the trustee as specified below. Unless otherwise ordered, the status and amount stated on a proof of claim or amended proof of claim controls over any contrary amount listed below as to the estimated amount of the creditor's total claim, but the interest rate is controlled by the plan.

The holder of any claim listed below will retain the lien until the earlier of:

- (a) payment of the underlying debt determined under nonbankruptcy law, or
- (b) discharge under 11 U.S.C. § 1328(a), at which time the lien will terminate and be released by the creditor.

	Name of Creditor	Monthly Adequate Protection Payment	Estimated Amount of Creditor's Total Claim	Collateral	Value of Collateral	Interest Rate	Monthly Fixed Payment to Creditor	Monthly Fixed Payment to Begin
	Santander Consumer USA	\$128.00	\$11,077.00	2017 Dodge Caravan	\$12,600.00	6 %	\$300.00	upon confirmation

3.4 Section 522(f) judicial lien and nonpossessory, nonpurchase money ("Non-PPM") security interest avoidance. Check all that apply.

☒ **None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

3.5 Surrender of collateral. Check one.

- ☒ **None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

Part 4: Treatment of Fees and Priority Claims**4.1 General.**

Trustee's fees will be paid in full. Except as set forth in § 4.5, allowed priority claims also will be paid in full, without interest.

4.2 Chapter 13 case filing fee. Check one.

- ☒ Debtor(s) intend to pay the Chapter 13 case filing fee through the plan.
☐ Debtor(s) intend to pay the Chapter 13 case filing fee directly to the Clerk of Court.

4.3 Attorney's fees.


The total fee requested by Debtor(s)' attorney is \$ 3,500.00 . The amount of the attorney fee paid prepetition is \$ 0.00 .

The balance of the fee owed to Debtor(s)' attorney is \$ 3,500.00 , payable as follows (*check one*):

- ☒ \$ 300 at confirmation and \$ 125 per month thereafter until paid in full, or
☐ in accordance with any applicable administrative order regarding fees entered in the division where the case is pending.

4.4 Priority claims other than attorney's fees and domestic support obligations. Check one.

- ☐ **None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.
☒ The other priority claims are listed below. Unless otherwise ordered, the amount of the creditor's priority claim listed on the proof of claim or amended proof of claim controls over any contrary amount listed below.

	Name of Creditor	Estimated Amount of Claim to be Paid	Monthly Fixed Payment, if any, to Creditor	Monthly Fixed Payment, if any, to Begin
	Internal Revenue Service	\$ 2,700.00	\$ 0.00	N/A

4.5 Domestic support obligations. Check one.

- ☒ **None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.

Part 5: Treatment of Nonpriority Unsecured Claims**5.1 Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid pro rata.

5.2 Percentage, Base, or Pot Plan. Check one.

- ☒ 100% Repayment Plan. This plan proposes to pay 100% of each allowed nonpriority unsecured claim.

- ☐ Percentage Plan. This plan proposes to pay _____ % of each allowed nonpriority unsecured claim.
- ☐ Pot Plan. This plan proposes to pay \$ _____, distributed pro rata to holders of allowed nonpriority unsecured claims.
- ☐ Base Plan. This plan proposes to pay \$ _____ to the trustee (plus any tax refunds, lawsuit proceeds, or additional payments pursuant to §§ 2.3 and 2.4). Holders of allowed nonpriority unsecured claims will receive the funds remaining, if any, after disbursements have been made to all other creditors provided for in this plan.

5.3 Interest on allowed nonpriority unsecured claims not separately classified. Check one.

- ☒ None. If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

5.4 Maintenance of payments and cure of any default on long-term nonpriority unsecured claims. Check one.

- ☒ None. If "None" is checked, the rest of § 5.4 need not be completed or reproduced.

5.5 Other separately classified nonpriority unsecured claims. Check one.

- ☒ None. If "None" is checked, the rest of § 5.5 need not be completed or reproduced.

Part 6: Executory Contracts and Unexpired Leases

6.1 The executory contracts and unexpired leases listed below are assumed, will be treated as specified, and any defaults cured. Check one.

- ☒ None. If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

6.2 The executory contracts and unexpired leases listed below are rejected. Check one.

- ☒ None. If "None" is checked, the rest of § 6.2 need not be completed or reproduced.

Part 7: Sequence of Payments

7.1 Unless otherwise ordered, the trustee will make the monthly payments required in Parts 3 through 6 in the sequence of payments set forth in the administrative order for the division in which this case is pending.

Part 8: Vesting of Property of Estate

8.1 Property of the estate will vest in Debtor(s) (check one):

- ☒ Upon plan confirmation.
- ☐ Upon entry of Discharge.

Part 9: Nonstandard Plan Provisions

- ☒ None. If "None" is checked, the rest of Part 9 need not be completed or reproduced.

Part 10: Signatures

Signature(s) of Debtor(s) (required):

x /s/ Yvonne DeCarlo Johnson

Date Apr 2, 2020

x

Date

Signature of Attorney for Debtor(s): x /s/ Daisy M. Holder

Date Apr 2, 2020

Name/Address/Telephone/Attorney for Debtor(s):

Daisy M. Holder, Attorney at Law
505 20th Street North, Suite 1625
Birmingham, Alabama 35203-2605

Telephone #: (205) 251-2334

By filing this document, Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) certif(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in this district's Local Form, other than any nonstandard provisions included in Part 9.